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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,701	09/23/2003	Jeff Stewart	MIME-0001DIV	2190

23550 7590 08/12/2010  
HOFFMAN WARNICK LLC  
75 STATE STREET  
14TH FLOOR  
ALBANY, NY 12207

EXAMINER
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GARCIA, GABRIEL I

ART UNIT	PAPER NUMBER
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2625

NOTIFICATION DATE	DELIVERY MODE
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08/12/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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PTOCommunications@hoffmanwarnick.com

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* JEFF STEWART, JENNIFER R. PINCO,  
DAVID UYTENDAELE, CRAIG JACOBS,  
DOUG FINK, and SHAWN ROBERT

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Appeal 2010-009627  
Application 10/668,701  
Technology Center 2600

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Before STEVEN J. BARTLETT, *Division 2 Support Manager*

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on July 6, 2010. A Docketing Notice was mailed on July 13, 2010. Upon review of the application, it has been determined that a remand to the Examiner is necessary to consider the following issues and to take necessary corrective action.

REPLY BRIEF NOT CONSIDERED

A Reply Brief was filed in this application on July 27, 2010. There is no evidence on the record indicating that the Examiner has considered the Reply Brief in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

Accordingly, it is ordered that the application is remanded to the Examiner:

- 1) to consider the Reply Brief filed July 27, 2010 as indicated above;
- 2) for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

tkl

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